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1	UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION - DETROIT	
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3	In re: Chapter 9	1 APPEARANCES, CONTINUING:
4	CITY OF DETROIT, MICHIGAN, Case No. 13-53846	2 FOR THE STATE OF MICHIGAN:
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<p>1 Do you have any knowledge first or 2 secondhand as to whether that is true or not?</p> <p>3 A. I don't recall that.</p> <p>4 Q. Do you recall a reason that the 19th was selected as 5 the date that Mr. Orr would file bankruptcy?</p> <p>6 A. One of the factors most likely was probably my 7 schedule, because this was a major media rollout, in 8 terms of availability.</p> <p>9 Q. Okay.</p> <p>10 A. At that -- the letter was coming and I wanted time 11 to contemplate and then we would look at the 12 schedule to say when is there a good opportunity to 13 have good communications.</p> <p>14 Q. Leaving aside conversations you had with your 15 attorneys --</p> <p>16 A. Uh-huh.</p> <p>17 Q. -- in the days preceding the 17th say, say earlier 18 that week --</p> <p>19 A. Yeah.</p> <p>20 Q. -- were you privy to any conversations where the 21 idea was thrown out that if we have the filing on 22 the 19th that would oust Aquilina of jurisdiction on 23 the 22nd? Do you understand what I'm asking, or 24 words to that effect?</p> <p>25 A. Yeah, I don't recall it.</p>	<p>1 A. Well, you did ask me. You said they were in the 2 courtroom, did then I act. And I acted prior to 3 them being in the courtroom.</p> <p>4 Q. No. Okay. Fair enough.</p> <p>5 A change was made between the 19th and the 6 18th as to the filing itself. You understand that?</p> <p>7 A. Uh-huh.</p> <p>8 Q. Correct?</p> <p>9 A. Yes.</p> <p>10 Q. And I'll represent to you that at Mr. Orr's 11 deposition he confirmed that the typed in date of 12 the 19th on the bankruptcy petition, the handwritten 13 eight was his handwriting.</p> <p>14 Do you know anything about why the change 15 was made from the 19th to the 18th?</p> <p>16 A. Yes.</p> <p>17 Q. What do you know about it? Just tell me.</p> <p>18 A. I made the decision that I was comfortable in my 19 conclusion that it was appropriate to file.</p> <p>20 When the letter came to me on the 16th in 21 terms of recommending bankruptcy, I had set aside to 22 say I wanted an extended period of time to review 23 and to contemplate the situation. So I actually set 24 aside enough time that would have led to the Friday 25 morning situation to say I wanted more than one</p>
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<p>1 Q. You don't recall?</p> <p>2 A. And again, that would be -- this is where we're back 3 to if there were other discussions, it would've been 4 attorney-client privilege, but I don't recall even 5 in that context.</p> <p>6 Q. We know that, in fact, the filing was made on the 7 18th?</p> <p>8 A. Uh-huh.</p> <p>9 Q. Correct?</p> <p>10 A. Correct.</p> <p>11 Q. That would be an unusual circumstance; would it not? 12 That is, that you put together this very detailed 13 rollout down to what's going to happen at 11 a.m. a 14 couple days later and what's happening at noon and 15 1:30. It would be rare in terms of your work as 16 Governor for a significant event like this for the 17 date to move at the last minute; would it not?</p> <p>18 A. Well, this is a unique circumstance.</p> <p>19 Q. Yeah. On that we agree.</p> <p>20 Was the unique circumstance the fact that 21 the litigants in the three cases were in court on 22 the 18th in front of Judge Aquilina in the afternoon 23 seeking emergency injunctive relief?</p> <p>24 A. I had signed my letter prior to that.</p> <p>25 Q. It's not what I asked you, Governor.</p>	<p>1 night to sleep on this because the importance of 2 this act.</p> <p>3 And as I proceeded through the thought 4 process to say do I concur, am I going to authorize 5 the bankruptcy, I started discussions with my legal 6 counsel on how we would prepare a letter, how we 7 would go through that process and my thought 8 process, and I felt I didn't need to wait. I had 9 made my decision, I had consulted with legal 10 counsel, we had prepared a letter authorizing 11 bankruptcy, and I said we should just go ahead and 12 get this done.</p> <p>13 Q. And as far as you know, that decision, the fact that 14 there was -- were requests for immediate injunctive 15 relief on that day in state court had nothing to do 16 with moving up the time?</p> <p>17 A. People showed up in state court after that, and what 18 I would say is the consideration I had was the 19 filing of -- the lawsuits being filed in the prior 20 week or two weeks had some impact on my 21 decision-making process.</p> <p>22 Q. Right.</p> <p>23 A. And the reason I said that is because I could see 24 lawsuits being filed not only on pension issues but 25 could be filed by other creditors, by financial</p>